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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,418	02/26/2002	Michael Wayne Brown	AUS920010849US1	4667
43307	7590	02/01/2005	EXAMINER	
IBM CORP (AP) C/O AMY PATTILLO P. O. BOX 161327 AUSTIN, TX 78716			KNOWLIN, THJUAN P	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/082,418	BROWN ET AL.	
Examiner	Art Unit		
Thjuan P Knowlin	2642		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 02 November 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-26 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 01 December 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/12/04.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_ .

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on November 02, 2004 has been entered. Claims 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, and 26 have been amended. No claims have been cancelled. No claims have been added. Claims 1-26 are still pending in this application, with claims 1, 8, 15, 22, 24, and 26 being independent.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 8, 15, 22, 24, and 26, are rejected under 35 U.S.C. 102(b) as being anticipated by Yaker (US 6,594,230).
3. In regards to claims 1, 8, and 15, Yaker discloses a method, system, and program for regulating use of a telephone line, comprising: detecting an identity (passwords or identifiers) of a caller requesting use of a telephone line to place an outgoing call (col. 4 lines 26-35 and col. 5-6 lines 60-3); and only allowing use of said

telephone line to place said outgoing call by said caller if a schedule (e.g. day of week or time of day) for said telephone line indicates that said caller identity is currently allowed to place said outgoing call (col. 5 lines 45-59).

4. In regards to claims 22, 24, and 26, Yaker discloses a method, system, and computer program product for regulating use of a telephone line requested by a plurality of parties, comprising: detecting an identity of a first caller requesting use of a telephone line to place a first outgoing call; and comparing said identity of said first caller with a schedule for at least one other caller concurrently requesting use of at telephone line to place a second outgoing call; and only allowing said first caller use of said telephone line to place said first outgoing call if a schedule for said telephone line indicates that said first caller currently has priority for use of said telephone line (col. 5 lines 45-59 and col. 5-6 lines 60-3).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-7, 9-14, 16-21, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaker (US 6,594,230), in view of King et al (US 5,872,841).

6. Yaker discloses all of claims 2, 9, and 16 limitations, except the method, system, and program, wherein detecting an identity further comprises: detecting said identity of

said caller from a voice authentication. King, however, discloses the method, wherein detecting an identity further comprises: detecting said identity of said caller (telephone 12) from a voice authentication (speech recognition technology 56) (col. 2 lines 43-47). Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to employ voice authentication within the system, as way of allowing for a caller to be able to access a system through voice or speech recognition, instead of having to key in or manually enter his or her identification information, thus, making the system more user friendly.

7. Yaker discloses all of claims 3, 10, and 17 limitations, except the method, system, and program, further comprising: detecting an estimated time for a call requested by said caller; and filtering said schedule according to said estimated time for said call. King, however, discloses the method, further comprising: detecting an estimated time for a call requested by said caller; and filtering said schedule according to said estimated time for said call (col. 2-3 lines 57-6).

8. Yaker discloses all of claims 4, 11, and 18 limitations, except the method, system, and program, further comprising: detecting a subject for a call requested by said caller; and filtering said schedule according to said subject for said call. King, however, discloses the method, system, and program, further comprising: detecting a subject for a call requested by said caller; and filtering said schedule according to said subject for said call (for example, the subject of the call could be a meeting, see Table 1 and col. 5 lines 20-36).

9. Yaker discloses all of claims 5, 12, and 19 limitations, except the method, system, and program, further comprising: detecting an amount of points (importance or priority of caller) available to said caller for placing a call; and filtering said schedule according to said amount of points available for said call and an amount of points required for at least one portion of said schedule. King, however, discloses the method, system, and program, further comprising: detecting an amount of points (importance or priority of caller) available to said caller for placing a call; and filtering said schedule according to said amount of points available for said call and an amount of points required for at least one portion of said schedule (col. 10 lines 1-60 and col. 11 lines 4-18).

10. Yaker discloses all of claims 6, 13, and 20 limitations, except the method, system, and program, further comprising: controlling output of a message to said caller indicating at least one from among a reason for a blocking said telephone line, a next available time for use of said telephone line, and an amount of time available for use of said telephone line. King, however, discloses the method, system, and program, further comprising: controlling output of a message to said caller indicating at least one from among a reason for a blocking said telephone line, a next available time for use of said telephone line, and an amount of time available for use of said telephone line (col. 6 lines 6-36 and col. 10 lines 11-19).

11. Yaker discloses all of claims 7, 14, and 21 limitations, except the method, system, and program, further comprising: providing said caller with an option for reserving a call appointment in said schedule. King, however, discloses the method,

system, and program, further comprising: providing said caller with an option for reserving a call appointment in said schedule (col. 2 lines 27-38).

12. Yaker discloses all of claims 23 and 25 limitations, except the method and system, further comprising: controlling said telephone line from a private switching network. King, however, discloses the method and system, further comprising: controlling said telephone line from a private switching network (telephone exchange system 10) (Fig. 1 and col. 3 lines 21-26).

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blood et al (US 6,456,706) teach an automatic telephone silent call screening system. Swan et al (US 6,263,071) teach a telecommunications functions management system providing distinctive alerting based on caller selection option. Flood (US 5,864,613) teaches a system and method for controlling telephone use.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

16. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

19. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thjuan P. Knowlin



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